

SUMTER COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: Accept CR 44A Right-of-Way Deeds from Villages of Southwest Plazas, LLC, The Villages of Lake-Sumter, Inc., and The Villages Operating Company (Staff recommends approval).

REQUESTED ACTION: **Accept CR 44A Right-of-Way Deeds from Villages of Southwest Plazas, LLC, The Villages of Lake-Sumter, Inc., and The Villages Operating Company and direct Clerk of Court to record deeds.**

☐ Work Session (Report Only) **DATE OF MEETING:** 1/26/2010
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☒ N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: Planning

BUDGET IMPACT: N/A
☐ Annual **FUNDING SOURCE:** _____
☐ Capital **EXPENDITURE ACCOUNT:** _____
☒ N/A

HISTORY/FACTS/ISSUES:

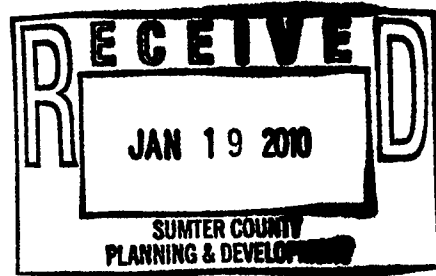
On January 19, 2010, staff received four (4) executed right-of-way deeds for the dedication of additional right-of-way along CR 44A. The right-of-way deeds are from Villages of Southwest Plazas, LLC, The Villages of Lake-Sumter, Inc. (2 deeds), and The Villages Operating Company. The purpose of the dedication of the additional right-of-way along CR 44A is to accommodate roadway improvements related to the CR 139 and Buena Vista Boulevard intersections with CR 44A. These right-of-way dedications are made at no cost to the County.

Staff requests the Board accept the attached four (4) right-of-way dedications and direct the Clerk of the Court to record the associated right-of-way deeds.

The Villages®

Administration

January 19, 2010



Mr. Brad Cornelius
Sumter County Planning Manager
910 North Main Street, Suite 301
Bushnell, Florida 33513

Dear Brad:

Enclosed are four (4) Right of Way Deeds for County Road 44A that are needed to accommodate certain roadway improvements to the County Road 139, Buena Vista Boulevard and County Road 44A intersections.

You and I previously talked about the ROW Dedication and I understand that Marty Dzuro has also discussed this with you. After your review, I would appreciate it if you would schedule this item on the first available agenda for Commission approval.

As always, thanks for your help.

Sincerely,

Gary L. Moyer
Vice President of Development

GLM:dp
Enclsoures

cc: Brad Arnold

This instrument prepared by:
McLin & Burnsed PA
Steven M. Roy, Esq./may
P.O. Box 1299
The Villages, FL 32159

RETURN TO:
County Administrator
910 North Main Street
Bushnell, Florida 33513-6152

Property Appraiser's PID NO.: 509 = 016

RIGHT-OF-WAY DEED

Conveyance made as a result of proposed condemnation by Grantee;
documentary stamp tax not collectable pursuant to Section 12B-4.014, Florida Administrative Code

THIS INDENTURE, made this 14TH day of January, 2010, by **THE VILLAGES OF LAKE-SUMTER, INC.**, a Florida corporation, as Successor by Merger with Sectores Lands, LLC, a Florida limited liability company, as referenced in that Memorandum of Articles of Merger recorded in Official Records Book 1570, Page 77, Public Records of Sumter County, Florida, whose post office address is 1020 Lake Sumter Landing, The Villages, Florida 32162, hereinafter called the "**GRANTOR**", and **SUMTER COUNTY**, a political subdivision of the State of Florida, whose post office address is 910 North Main Street, Bushnell, Florida 33513, hereinafter called the "**GRANTEE**".

WITNESSETH, that **GRANTOR**, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration to **GRANTOR** in hand paid by **GRANTEE**, the receipt of which is hereby acknowledged, has granted, bargained and sold to the **GRANTEE**, its successors or assigns forever, the following described land, situate, lying and being in Sumter County, Florida, to wit:

AS SET FORTH IN EXHIBIT "A"

and **GRANTOR** does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whosoever.

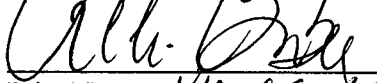
GRANTOR hereby certifies that the above lands are not homestead as defined by the Constitution of the State of Florida, nor are they contiguous thereto.

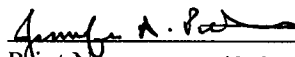
SUBJECT TO restrictions and easements of record.

* Wherever the context so admits or requires, the terms "Grantor" and "Grantee" are used for singular and plural, and respectively refer to the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations.

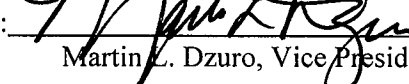
IN WITNESS WHEREOF, the **GRANTOR** has signed and sealed these presents the day and year first above written.

WITNESSES:


Print Name: Vicki C. Suber


Print Name: Jennifer A. Peters

THE VILLAGES OF LAKE-SUMTER, INC., a Florida corporation, as Successor by Merger with Sectores Lands, LLC, a Florida limited liability company

By: 
Martin L. Dzuro, Vice President

STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this 14th day of January, 2010, by **Martin L. Dzuro**, as Vice President of and on behalf of **The Villages of Lake-Sumter, Inc.**, a Florida corporation, as Successor by Merger with Sectores Lands, LLC, a Florida limited liability company, for the purposes expressed herein, who is personally known to me.


NOTARY PUBLIC-STATE OF FLORIDA

Print Name: _____
Serial/Commission Number: _____
Commission Expires: _____



VICKI C. SUBER
Commission DD 677141
Expires September 22, 2011
Bonded Thru Troy Fain Insurance 800-385-7019

SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY) EXHIBIT "A"

SHEET 1 OF 1

LEGAL DESCRIPTION:

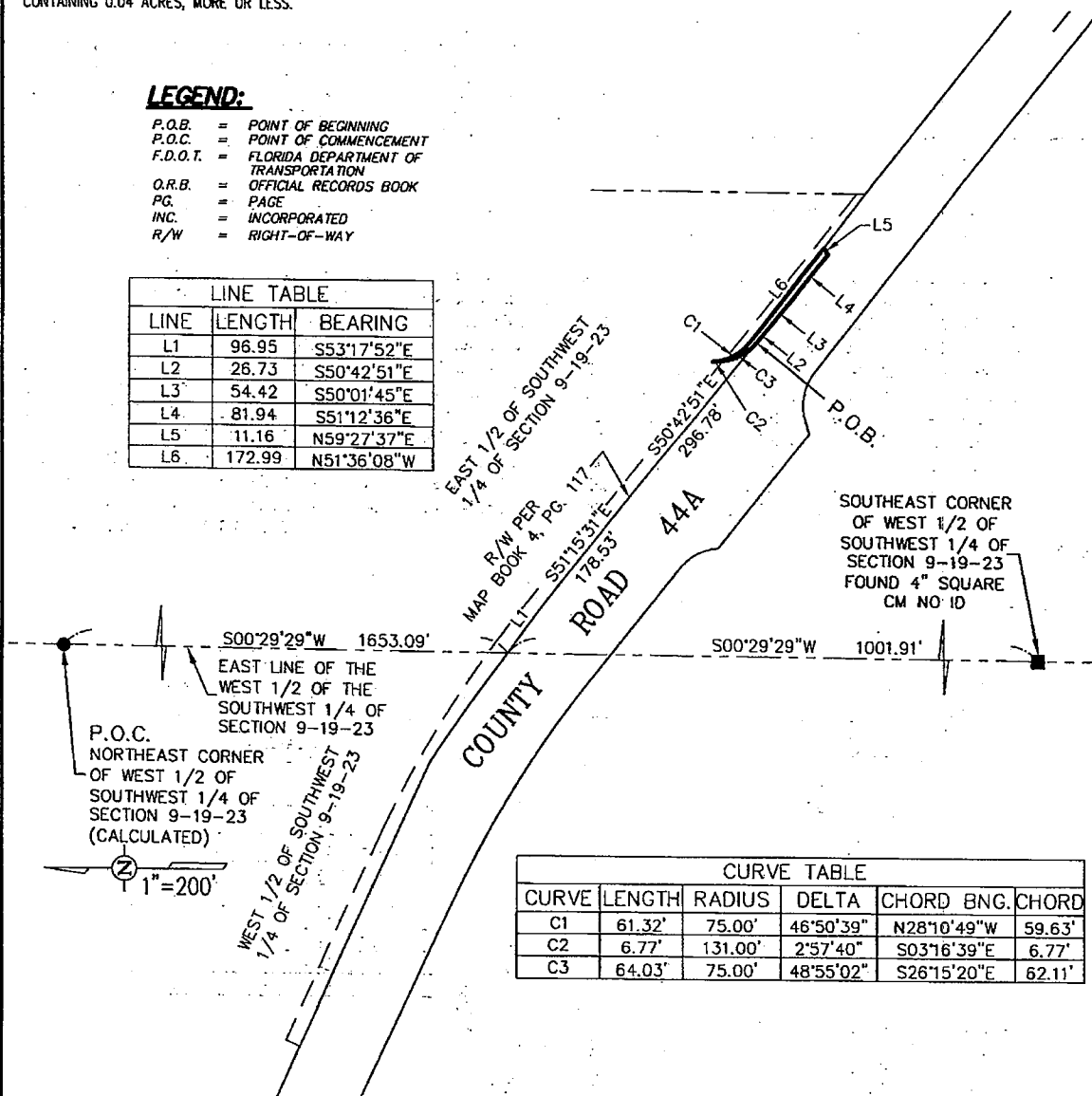
BEING A PORTION OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE S00°29'29"W, ALONG THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 9 A DISTANCE OF 1,653.09 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF C-44A, ACCORDING TO THE RIGHT-OF-WAY MAP ON FILE IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA IN MAP BOOK 4 PAGE 117, THENCE DEPARTING SAID EAST LINE AND ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES: S53°17'52"E, 96.95 FEET; THENCE S51°15'31"E, 178.53 FEET; THENCE S50°42'51"E, 296.78 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S50°42'51"E, 26.73 FEET; THENCE S50°01'45"E, 54.42 FEET; THENCE S51°12'36"E, 81.94 FEET; THENCE N59°27'37"E, 11.16 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY, N51°36'08"W, 172.99 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 75.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 46°50'39", A DISTANCE OF 61.32 FEET TO A POINT ON THE CUSP OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 131.00 FEET AND A CHORD BEARING AND DISTANCE OF S03°16'39"E, 6.77 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°57'40", A DISTANCE OF 6.77 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 48°55'02", A DISTANCE OF 64.03 FEET TO THE POINT OF BEGINNING. CONTAINING 0.04 ACRES, MORE OR LESS.

LEGEND:

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
O.R.B. = OFFICIAL RECORDS BOOK
PG. = PAGE
INC. = INCORPORATED
R/W = RIGHT-OF-WAY

LINE TABLE		
LINE	LENGTH	BEARING
L1	96.95	S53°17'52"E
L2	26.73	S50°42'51"E
L3	54.42	S50°01'45"E
L4	81.94	S51°12'36"E
L5	11.16	N59°27'37"E
L6	172.99	N51°36'08"W



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BNG.	CHORD
C1	61.32'	75.00'	46°50'39"	N28°10'49"W	59.63'
C2	6.77'	131.00'	2°57'40"	S03°16'39"E	6.77'
C3	64.03'	75.00'	48°55'02"	S26°15'20"E	62.11'

GENERAL NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
3. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 9-19-23, HAVING A BEARING OF S00°29'29"W AND ARE RELATIVE TO THE VILLAGES BEARING SYSTEM.

1/14/10
DATE

William S. Barley
WILLIAM S. BARLEY, PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 3815



**FARNER
BARLEY**
AND ASSOCIATES, INC.

4450 NE 83RD ROAD • WILDMOOD, FL 34785 • (352) 748-3126

ENGINEERS
SURVEYORS
PLANNERS
LB 4709

This instrument prepared by:
McLin & Burnsed PA
Steven M. Roy, Esq./may
P.O. Box 1299
The Villages, FL 32159

RETURN TO:
County Administrator
910 North Main Street
Bushnell, Florida 33513-6152

Property Appraiser's PID NO.: 608-022

RIGHT-OF-WAY DEED

Conveyance made as a result of proposed condemnation by Grantee;
documentary stamp tax not collectable pursuant to Section 12B-4.014, Florida Administrative Code

THIS INDENTURE, made this ____ day of January, 2010, by **THE VILLAGES OPERATING COMPANY**, a Florida corporation, whose post office address is 1020 Lake Sumter Landing, The Villages, Florida 32162, hereinafter called the "**GRANTOR**", and **SUMTER COUNTY**, a political subdivision of the State of Florida, whose post office address is 910 North Main Street, Bushnell, Florida 33513, hereinafter called the "**GRANTEE**".

WITNESSETH, that **GRANTOR**, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration to **GRANTOR** in hand paid by **GRANTEE**, the receipt of which is hereby acknowledged, has granted, bargained and sold to the **GRANTEE**, its successors or assigns forever, the following described land, situate, lying and being in Sumter County, Florida, to wit:

AS SET FORTH IN EXHIBIT "A"

and **GRANTOR** does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whosoever.

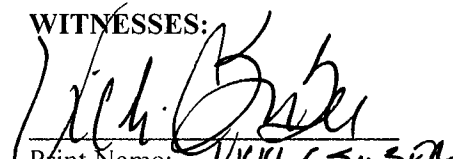
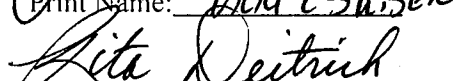
GRANTOR hereby certifies that the above lands are not homestead as defined by the Constitution of the State of Florida, nor are they contiguous thereto.

SUBJECT TO restrictions and easements of record.

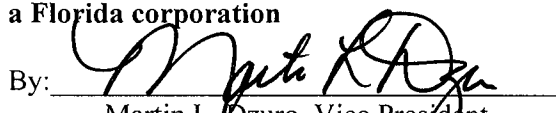
* Wherever the context so admits or requires, the terms "Grantor" and "Grantee" are used for singular and plural, and respectively refer to the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations.

IN WITNESS WHEREOF, the **GRANTOR** has signed and sealed these presents the day and year first above written.

WITNESSES:

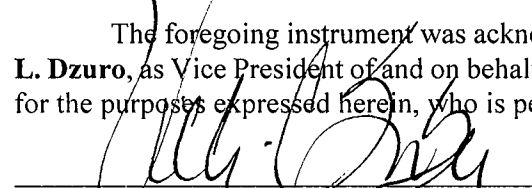

Print Name: VICKI C. SUBER

Print Name: Rita Deitrich

THE VILLAGES OPERATING COMPANY,
a Florida corporation

By: 
Martin L. Dzuro, Vice President

STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this 12th day of January, 2010, by **Martin L. Dzuro**, as Vice President of and on behalf of **The Villages Operating Company**, a Florida corporation, for the purposes expressed herein, who is personally known to me.


NOTARY PUBLIC-STATE OF FLORIDA

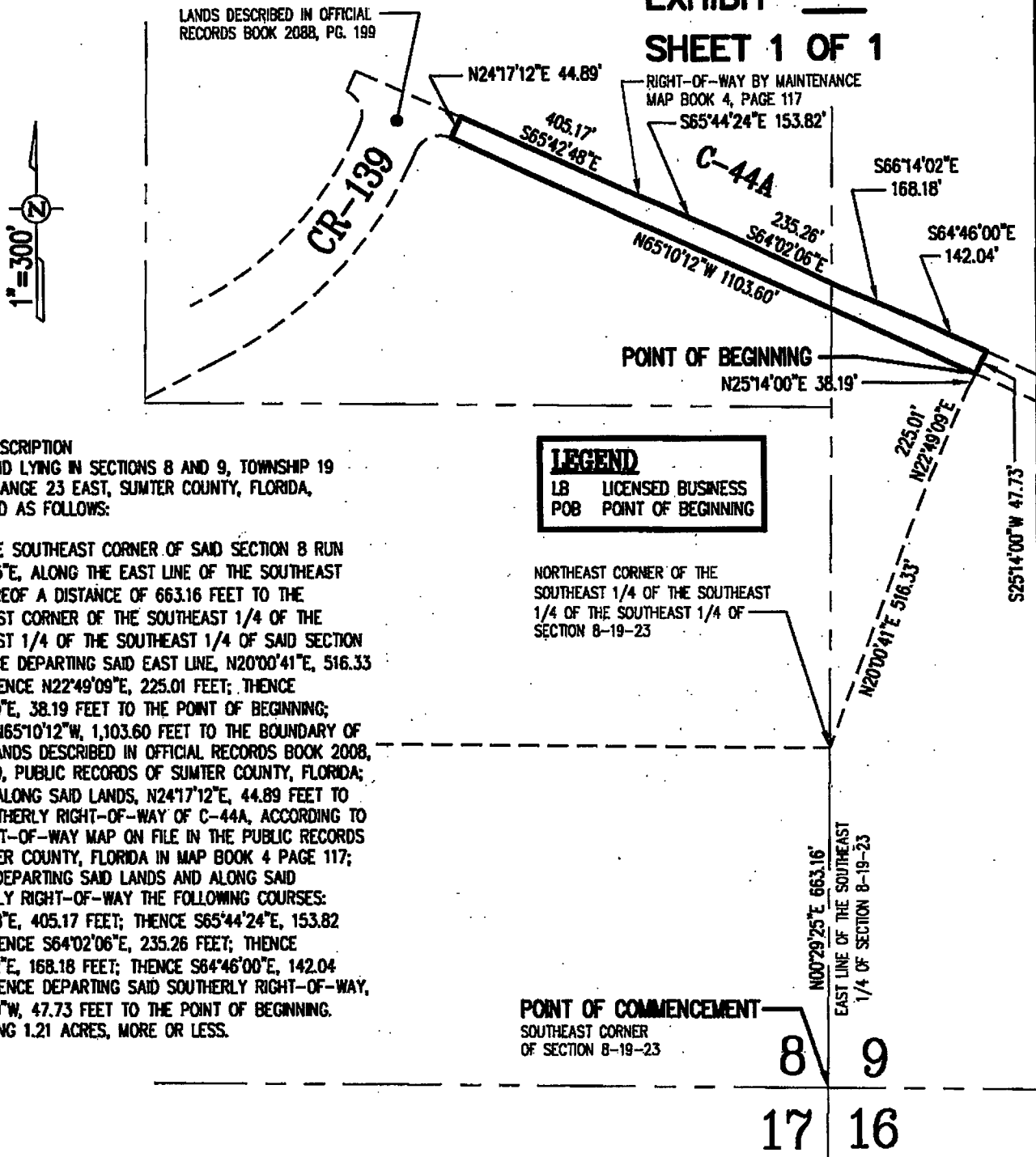
Print Name: _____
Serial/Commission Number: _____
Commission Expires: _____



VICKI C. SUBER
Commission DD 677141
Expires September 22, 2011
Bonded Thru Troy Pain Insurance 800-385-7019

SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)

EXHIBIT " — "
 SHEET 1 OF 1



LEGAL DESCRIPTION

THAT LAND LYING IN SECTIONS 8 AND 9, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF SAID SECTION 8 RUN N00°29'25"E, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 THEREOF A DISTANCE OF 663.16 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, N20°00'41"E, 516.33 FEET; THENCE N22°49'09"E, 225.01 FEET; THENCE N25°14'00"E, 38.19 FEET TO THE POINT OF BEGINNING; THENCE N65°10'12"W, 1,103.60 FEET TO THE BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2088, PAGE 199, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG SAID LANDS, N24°17'12"E, 44.89 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF C-44A, ACCORDING TO THE RIGHT-OF-WAY MAP ON FILE IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA IN MAP BOOK 4 PAGE 117; THENCE DEPARTING SAID LANDS AND ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES: S65°42'48"E, 405.17 FEET; THENCE S65°44'24"E, 153.82 FEET; THENCE S64°02'06"E, 235.26 FEET; THENCE S66°14'02"E, 168.18 FEET; THENCE S64°46'00"E, 142.04 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, S25°14'00"W, 47.73 FEET TO THE POINT OF BEGINNING. CONTAINING 1.21 ACRES, MORE OR LESS.

LEGEND

LB LICENSED BUSINESS
POB POINT OF BEGINNING

NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8-19-23

GENERAL NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
3. BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST AS BEING S00°29'25"W, AN ASSUMED MERIDIAN.

1/12/10
DATE

William S. Barley
WILLIAM S. BARLEY, PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 3815



WILLIAM S. BARLEY
AND ASSOCIATES, INC.

4450 NE 83RD ROAD • WILLOWOOD, FL 34785 • (352) 748-3128

▲ ENGINEERS
▲ SURVEYORS
▲ PLANNERS
LB 4700

This instrument prepared by:
McLin & Burnsed PA
Steven M. Roy, Esq./may
P.O. Box 1299
The Villages, FL 32159

RETURN TO:
County Administrator
910 North Main Street
Bushnell, Florida 33513-6152

Property Appraiser's PID NO.: 609 - 008

RIGHT-OF-WAY DEED

Conveyance made as a result of proposed condemnation by Grantee;
documentary stamp tax not collectable pursuant to Section 12B-4.014, Florida Administrative Code

THIS INDENTURE, made this 12th day of January, 2010, by **THE VILLAGES OF LAKE-SUMTER, INC.**, a Florida corporation, whose post office address is 1020 Lake Sumter Landing, The Villages, Florida 32162, hereinafter called the "**GRANTOR**", and **SUMTER COUNTY**, a political subdivision of the State of Florida, whose post office address is 910 North Main Street, Bushnell, Florida 33513, hereinafter called the "**GRANTEE**".

WITNESSETH, that **GRANTOR**, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration to **GRANTOR** in hand paid by **GRANTEE**, the receipt of which is hereby acknowledged, has granted, bargained and sold to the **GRANTEE**, its successors or assigns forever, the following described land, situate, lying and being in Sumter County, Florida, to wit:

AS SET FORTH IN EXHIBIT "A"

and **GRANTOR** does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whosoever.

GRANTOR hereby certifies that the above lands are not homestead as defined by the Constitution of the State of Florida, nor are they contiguous thereto.

SUBJECT TO restrictions and easements of record.

* Wherever the context so admits or requires, the terms "Grantor" and "Grantee" are used for singular and plural, and respectively refer to the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations.

IN WITNESS WHEREOF, the **GRANTOR** has signed and sealed these presents the day and year first above written.

WITNESSES:

[Signature]
Print Name: Vicki C. Suber
[Signature]
Print Name: Rita Deitrich

THE VILLAGES OF LAKE-SUMTER, INC.,
a Florida corporation

By: [Signature]
Martin L. Dzuro, Vice President

STATE OF FLORIDA COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this 12th day of January, 2010, by **Martin L. Dzuro**, as Vice President of and on behalf of **The Villages of Lake-Sumter, Inc.**, a Florida corporation, for the purposes expressed herein, who is personally known to me.

[Signature]
NOTARY PUBLIC-STATE OF FLORIDA

Print Name: _____
Serial/Commission Number: _____
Commission Expires: _____



VICKI C. SUBER
Commission DD 677141
Expires September 22, 2011
Bonded Thru Troy Fain Insurance 800-385-7019

SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)

EXHIBIT "___"
SHEET 1 OF 2

LEGAL DESCRIPTION

THAT LAND LYING IN SECTION 9, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF SAID SECTION 8 RUN N00°29'25"E, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 THEREOF A DISTANCE OF 663.16 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, N20°00'41"E, 516.33 FEET; THENCE N22°49'09"E, 225.01 FEET; THENCE N25°14'00"E, 38.19 FEET TO THE POINT OF BEGINNING; THENCE S65°10'12"E, 752.22 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1,603.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 14°10'26", A DISTANCE OF 396.55 FEET; THENCE S50°59'45"E, 197.91 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 47°01'55", A DISTANCE OF 61.56 FEET; THENCE S51°31'53"E, 211.24 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 131.00 FEET AND A CHORD BEARING AND DISTANCE OF N74°02'25"E, 16.74 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°19'38", A DISTANCE OF 16.75 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 75.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°01'16", A DISTANCE OF 75.95 FEET; THENCE S51°36'08"E, 743.36 FEET; THENCE N00°35'51"E, 41.31 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF C-44A, ACCORDING TO THE RIGHT-OF-WAY MAP ON FILE IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA IN MAP BOOK 4 PAGE 117; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES: N51°09'06"W, 118.99 FEET; THENCE N53°26'33"W, 152.18 FEET; THENCE N50°37'18"W, 101.97 FEET; THENCE N53°49'17"W, 103.04 FEET; THENCE N53°02'35"W, 102.66 FEET; THENCE N49°29'13"W, 178.30 FEET; THENCE N55°45'39"W, 56.92 FEET; THENCE N50°51'16"W, 175.01 FEET; THENCE N52°21'58"W, 343.68 FEET; THENCE N56°01'18"W, 116.07 FEET; THENCE N59°45'28"W, 170.08 FEET; THENCE N65°24'09"W, 580.82 FEET; THENCE N64°46'00"W, 215.59 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, S25°14'00"W, 47.73 FEET TO THE POINT OF BEGINNING. CONTAINING 2.48 ACRES, MORE OR LESS.

GENERAL NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
3. BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST AS BEING S00°29'25"W, AN ASSUMED MERIDIAN.

DATE

1/12/10

WILLIAM S. BARLEY, PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 3815



**FORNER
& BARLEY**
AND ASSOCIATES, INC.

4450 NE 83RD ROAD • WILDMOOD, FL 34785 • (352) 748-3128

▲ ENGINEERS
▲ SURVEYORS
▲ PLANNERS
LB 4708

EXHIBIT "____"
SHEET 2 OF 2



1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
3. BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST AS BEING S00°29'25"W, AN ASSUMED MERIDIAN.

**FARNER
BARLEY
AND ASSOCIATES, INC.**

4650 NE 63RD ROAD • WILLOWOOD, FL 34785 • (352) 748-3128

▲ ENGINEERS
▲ SURVEYORS
▲ PLANNERS
LB 4709

This instrument prepared by:
McLin & Burnsed PA
Steven M. Roy, Esq./may
P.O. Box 1299
The Villages, FL 32159

RETURN TO:

County Administrator
910 North Main Street
Bushnell, Florida 33513-6152

Property Appraiser's PID NO.: 608-096

RIGHT-OF-WAY DEED

Conveyance made as a result of proposed condemnation by Grantee;
documentary stamp tax not collectable pursuant to Section 12B-4.014, Florida Administrative Code

THIS INDENTURE, made this 14th day of January, 2010, by **VILLAGES OF SOUTHWEST PLAZAS, LLC**, a Florida limited liability company, whose post office address is 1020 Lake Sumter Landing, The Villages, Florida 32162, hereinafter called the "**GRANTOR**", and **SUMTER COUNTY**, a political subdivision of the State of Florida, whose post office address is 910 North Main Street, Bushnell, Florida 33513, hereinafter called the "**GRANTEE**".

WITNESSETH, that **GRANTOR**, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration to **GRANTOR** in hand paid by **GRANTEE**, the receipt of which is hereby acknowledged, has granted, bargained and sold to the **GRANTEE**, its successors or assigns forever, the following described land, situate, lying and being in Sumter County, Florida, to wit:

AS SET FORTH IN EXHIBIT "A"

and **GRANTOR** does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whosoever.

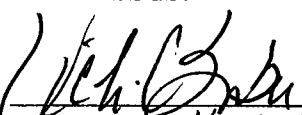
GRANTOR hereby certifies that the above lands are not homestead as defined by the Constitution of the State of Florida, nor are they contiguous thereto.

SUBJECT TO restrictions and easements of record.

* Wherever the context so admits or requires, the terms "Grantor" and "Grantee" are used for singular and plural, and respectively refer to the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations.

IN WITNESS WHEREOF, the **GRANTOR** has signed and sealed these presents the day and year first above written.

WITNESSES:


Print Name: Vicki C. Surber


Print Name: Rita Deitrich


Print Name: Laura M. Ruland


Print Name: Doris A. Pardo

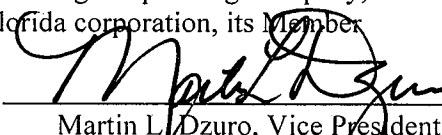

Print Name: Laura M. Ruland


Print Name: Doris A. Pardo

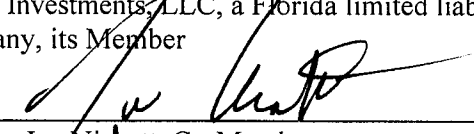
VILLAGES OF SOUTHWEST PLAZA, LLC,
a Florida limited liability company


BY: **VILLAGES/ACORN COMMERCIAL PARTNERS, LLC**,
a Florida limited liability company, its Manager

By: The Villages Operating Company,
a Florida corporation, its Member

By: 
Martin L. Dzuro, Vice President

By: Acorn Investments, LLC, a Florida limited liability
company, its Member

By: 
Joe Nisbett, Co-Member

By: 
William Kearns, Co-Member

STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this 12th day of January, 2010, by **Martin L. Dzuro**, as Vice President of and on behalf of **The Villages Operating Company**, the Member of **Villages/Acorn Commercial Partners, LLC**, the Manager of **Villages of Southwest Plazas, LLC**, for the purposes expressed herein, who is personally known to me.

Martin L. Dzuro
NOTARY PUBLIC-STATE OF FLORIDA

Print Name: _____
Serial/Commission Number: _____
Commission Expires: _____



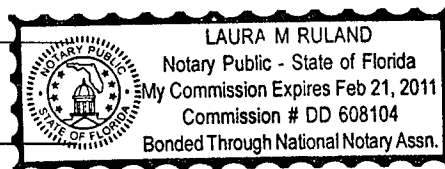
VICKI C. SUBER
Commission DD 677141
Expires September 22, 2011
Bonded Thru Troy Fain Insurance 800-385-7019

STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this 14th day of January, 2010, by **Joe Nisbett**, as Co-Member of and on behalf of **Acorn Investments, LLC**, the Member of **Villages/Acorn Commercial Partners, LLC**, the Manager of **Villages of Southwest Plazas, LLC**, for the purposes expressed herein, who is personally known to me.

Laura M. Ruland
NOTARY PUBLIC-STATE OF FLORIDA

Print Name: **Laura M. Ruland**
Serial/Commission Number: DD 608104
Commission Expires: 2/21/2011

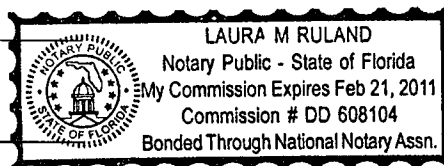


STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me this 12th day of January, 2010, by **William Kearns**, as Co-Member of and on behalf of **Acorn Investments, LLC**, the Member of **Villages/Acorn Commercial Partners, LLC**, the Manager of **Villages of Southwest Plazas, LLC**, for the purposes expressed herein, who is personally known to me.

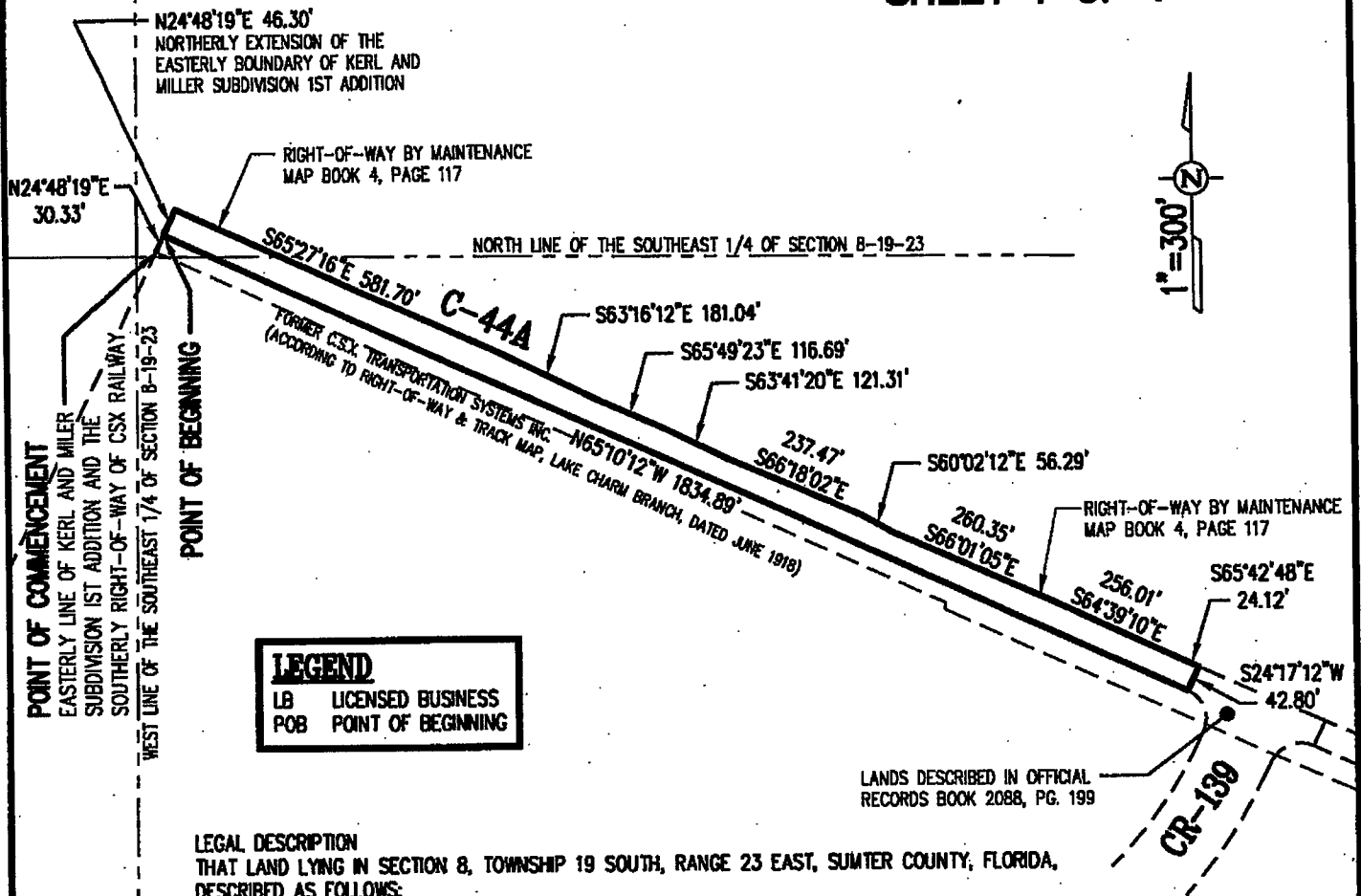
Laura M. Ruland
NOTARY PUBLIC-STATE OF FLORIDA

Print Name: **Laura M. Ruland**
Serial/Commission Number: DD 608104
Commission Expires: 2/21/2011



SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)

EXHIBIT "A"
SHEET 1 OF 1



LEGEND

LB LICENSED BUSINESS
POB POINT OF BEGINNING

LEGAL DESCRIPTION
THAT LAND LYING IN SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA,
DESCRIBED AS FOLLOWS:

FROM THE INTERSECTION OF THE EASTERLY LINE OF KERL AND MILLER SUBDIVISION 1ST ADDITION AS RECORDED IN PLAT BOOK 2, PAGE 55, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA AND THE SOUTHERLY RIGHT-OF-WAY OF CSX RAILWAY RUN N24°48'19"E, ALONG THE NORTHERLY EXTENSION OF SAID EAST BOUNDARY A DISTANCE OF 30.33 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHERLY EXTENSION, N24°48'19"E, 46.30 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF C-44A, ACCORDING TO THE RIGHT-OF-WAY MAP ON FILE IN THE PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA IN MAP BOOK 4 PAGE 117; THENCE DEPARTING SAID NORTHERLY EXTENSION AND ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES: S65°27'16"E, 581.70 FEET; THENCE S63°16'12"E, 181.04 FEET; THENCE S65°49'23"E, 116.69 FEET; THENCE S63°41'20"E, 121.31 FEET; THENCE S66°18'02"E, 237.47 FEET; THENCE S60°02'12"E, 56.29 FEET; THENCE S66°01'05"E, 260.35 FEET; THENCE S64°39'10"E, 256.01 FEET; THENCE S65°42'48"E, 24.12 FEET TO THE BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2088, PAGE 199, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG SAID LANDS, S24°17'12"W, 42.80 FEET; THENCE DEPARTING SAID LANDS, N65°10'12"W, 1,834.89 FEET TO THE POINT OF BEGINNING. CONTAINING 1.90 ACRES, MORE OR LESS.

GENERAL NOTES

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
3. BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 23 EAST AS BEING S89°23'00"E, AN ASSUMED MERIDIAN.

1/12/10
DATE

William S. Barley
WILLIAM S. BARLEY, PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 3815



**FARNES
BARLEY**
AND ASSOCIATES, INC.

▲ ENGINEERS
▲ SURVEYORS
▲ PLANNERS
LB 4700

4450 NE 53RD ROAD • WILDMOOD, FL 34765 • (352) 748-3125